

cess for forty-eight hours, it might be that in the long run we would get through quicker. We could probably marshal the facts and evidence, and everybody getting a little breathing spell for thirty-six hours, we might probably get through quicker.

Senator Redditt: The Committee recommends that we recess until Thursday at 2:00 p. m.

Senator Rawlings: I move that as a substitute to that motion.

The Chair: Do you mean to insinuate by that that I am going to work tomorrow?

Senator Woodward: Is there anything in the resolution creating the Committee, or the rules which fixes the time for the adjournment of this Committee? I have in mind the Committee was to adjourn Wednesday unless the time was extended.

The Chair: I don't remember it.

Senator Woodward: I don't know where I got that idea. I got it somewhere. Well, if it's not in there, all right.

(The motion to adjourn until 2:00 p. m. Thursday, February 23, 1933, was thereupon put and duly carried.)

TWENTY-EIGHTH DAY.

Senate Chamber,
Austin, Texas.
February 22, 1933.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names.

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.

Absent—Excused.

Woodward.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Fellbaum.

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Oneal:

S. B. No. 262, A bill to be entitled "An Act for the purpose of releasing the interest and penalties on all delinquent ad valorem and poll taxes that were delinquent on or before February 1, 1931, due the State, any county, special school district, school district, road district, levee improvement district, water improvement district and water control and improvement district, irrigation district and other defined subdivisions of the State. Also cities, towns, and villages, provided said taxes are paid on or before September 1, 1933; and for the purposes of releasing the interest and penalties on all ad valorem and poll taxes that became delinquent after February 1, 1931, and prior to September 1, 1933, due the State, any county, special school district, school district, road district, levee improvement district, water improvement district and water control and improvement district, irrigation district and other defined subdivisions of the State. Also cities, towns and villages, provided said taxes are paid on or before December 1, 1933; and providing, further, that the provisions of this Act releasing interest and penalties shall not apply to cities, towns, and villages unless and until the governing body thereof finds that unusual or excessive defaults in the payment of taxes has occurred, and that an extension of time for the payment of such delinquent ad valorem and poll taxes will promote and accelerate the collection thereof, whereupon such governing body by resolution, or ordinance, evidencing such finding and recording the same shall have the authority to put in force and effect the provisions hereof as to such cities, towns, and villages; suspending all laws and parts of laws in conflict herewith during the term this Act is in force; and providing further that if, any sec-

tion, clause, sentence, paragraph, or part of the Act is adjudged to be invalid by any court of final or competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder of this Act; stating the policy of the Legislature, and declaring an emergency, and providing that this Act shall take effect and be in force from and after its passage."

Read and referred to Committee on State Affairs.

By Senator Redditt:

S. B. No. 263, A bill to be entitled "An Act authorizing the State Forester under the general supervision of the Board of Directors of the Agricultural and Mechanical College to cooperate and execute agreements with the Federal Forest Service, other Federal agencies and timberland owners, involving cooperative forest protection and development projects when such action is required by Federal statute or policy and declaring an emergency."

Read and referred to Committee on Public Lands and Land Office.

By Senator Moore:

S. B. No. 264, A bill to be entitled "An Act providing for the appraisal of real estate and improvements situated thereon, if the same is improved property, at the time any character of lien is placed against the same or fixed thereon; and further providing that it shall be the duty of the mortgagee or lender to appraise the same at the time of making the loan or fixing of any lien thereon; which appraisal shall be in writing and noted in the deed, deed of trust, or other instrument evidencing the lien; and further providing that upon foreclosure of such lien if the indebtedness secured by such lien is seventy-five per cent (75%) or less of such appraisal value no deficiency judgment shall ever be allowed and the foreclosure of such lien in such event shall absolutely extinguish the indebtedness so secured by such lien; and providing further that if at the time of foreclosure of such lien the indebtedness secured thereby is greater than seventy-five per cent (75%) of such appraisal value no deficiency judgment shall ever be allowed for a greater amount than the difference between the amount of the indebtedness and such

appraisal value, but never to exceed twenty-five per cent (25%) of the amount of its indebtedness; and providing that if such appraisal is not made and so noted in the deed, deed of trust or other instrument evidencing such lien, no deficiency judgment shall be allowed and on foreclosure of such lien the debt secured thereby shall be extinguished; and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Holbrook:

S. B. No. 265, A bill to be entitled "An Act making an appropriation to be paid out of the General Revenue Fund of the State of Texas the sum of Eleven Hundred Seventy and 20/100 (\$1170.20) Dollars, not otherwise appropriated, to cover taxes due by the State of Texas to the Brazoria Independent School District covering the years from 1929 to 1932; and declaring an emergency."

Read and referred to Committee on Finance.

Senator Excused.

On motion of Senator Collie, Senator Woodward was excused for the day on account of illness in his family.

Communication From Attorney General.

The Chair laid before the Senate the following communication from the Attorney General:

State of Texas

Office of Attorney General

Austin, Texas, Feb. 22, 1933.

Honorable Bob Barker, Secretary of the Senate.

Dear Sir: Receipt is acknowledged of your communication in which you state that by concurrent resolution the salaries of the entire membership of both Houses of the Legislature have been set at the maximum amount permitted by the Constitution. Five Senators joined in the introduction of simple resolutions fixing the salaries of said five Senators at an amount less than that fixed for the entire membership. You ask whether this can be legally done.

I know of no provision of the Constitution or statutes which would prohibit this procedure; and, under

the facts presented, in my opinion, the Senate has the power to legally fix by said simple resolution the salaries of the above mentioned five Senators at a less amount than that heretofore fixed for the entire membership.

Very truly yours,
JAMES V. ALLRED,
Attorney General of Texas.

Senate Simple Resolution No. 29.

Senator DeBerry called up:
S. S. R. No. 29, Fixing salaries of certain Senators at \$8 per day.

At 10:30 o'clock a. m., Senator Fellbaum raised the point of order that the time for the consideration of the resolution had expired.

The Chair, Lieutenant Governor Edgar E. Witt, overruled the point of order.

Senator Rawlings raised the point of order that the Senate could not by simple resolution fix the pay of individual Senators in an amount different from the amount previously set by the concurrent resolution adopted by both Houses of the Legislature.

At 11:06 Senator Purl raised the point of order that the time for the consideration of the resolution had expired.

Senator DeBerry received unanimous consent to extend the time for the consideration of this resolution until it was disposed of.

Senator Moore moved the previous question on the further consideration of the resolution, including the point of order and all other matters in connection with the resolution.

The motion prevailed.

The Chair, Lieutenant Governor Edgar E. Witt, submitted the point of order raised by Senator Rawlings to the Senate.

The Senate voted to sustain the point of order by the following vote:

Yeas—20.

Beck.	Pace.
Collie.	Parr.
Cousins.	Patton.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Russek.
Hopkins.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodul.

Nays—6.

Blackert.	Hornsby.
DeBerry.	Oneal.
Holbrook.	Poage.

Absent.

Neal.	Woodruff.
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Absent—Excused.

Woodward.

(Pair Recorded.)

Senator Regan (absent) who would vote yea, with Senator Purl (present) who would vote nay.

At Ease.

On motion of Senator Hopkins, the Senate, at 11:35 o'clock a. m., stood at ease for 15 minutes in order to attend an address by Hon. Joe W. Bailey in the House of Representatives.

In Session.

The Senate was called to order by Lieutenant Governor Edgar E. Witt.

Motion to Print.

Senator Poage moved to print S. B. No. 67 on minority report and spread the motion on the Journal.

Motion to Print.

Senator Moore moved to print S. B. No. 186 on minority report and spread the motion on the Journal.

Resolution Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following resolution:

H. C. R. No. 9.

House Bill No. 150.

The Chair laid before the Senate on its second reading H. B. No. 150.

By unanimous consent, the bill was laid on the table subject to call.

House Bill No. 129.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Anderson of Bexar:
H. B. No. 129, A bill to be entitled

"An Act to amend Chapter 137, of the Special Laws of Texas, Regular Session of the Forty-second Legislature, and declaring an emergency." (Relating to establishing a system of public roads and bridges for Bexar County, known as the Bexar County Road Law.)

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Fellbaum the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 129 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.

Absent—Excused.

Woodward.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.

Absent—Excused.

Woodward.

15—Jour.

House Bill No. 17.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Anderson of Bexar:

H. B. No. 17, A bill to be entitled "An Act amending Chapter 308 of the General Laws of the State of Texas passed by the Regular Session of the Forty-second Legislature, adjusting the compensation for county treasurers in counties of a population of not less than two hundred and fifty thousand (250,000), where the treasurer of such counties prepares the payrolls, makes payments thereunder in cash, and acts as paymaster for the county, in addition to the regular duties as county treasurer, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Fellbaum the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 17 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.

Absent—Excused.

Woodward.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Holbrook.
Blackert.	Hopkins.
Collie.	Hornsby.
Cousins.	Martin.
DeBerry.	Moore.
Duggan.	Murphy.
Fellbaum.	Neal.
Greer.	Oneal.

Pace.	Regan.
Parr.	Russek.
Patton.	Sanderford.
Poage.	Small.
Purl.	Stone.
Rawlings.	Woodruff.
Redditt.	Woodul.

Absent—Excused.

Woodward.

Senate Bill No. 256.

The Chair laid before the Senate by unanimous consent the following bill:

By Senators Neal and Pace:

S. B. No. 256, A bill to be entitled "An Act making appropriation of \$6,967.74 to pay the salaries of district judges of the Special District Court of Smith and Upshur Counties and the Special District Court of Rusk and Gregg Counties, for the period from December 21, 1932, to August 31, 1933, and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Pace the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 256 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.

Absent—Excused.

Woodward.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.

Absent—Excused.

Woodward.

Motion Relative to Adjournment.

Senator Woodul moved that when the Senate adjourned today, it do so in honor of George Washington. The motion prevailed.

Adjournment.

On motion of Senator Russek, the Senate, at 12:27 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, Feb. 21, 1933

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. J. R. No. 8 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. J. R. No. 9 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. J. R. No. 6

carefully examined and compared and find same correctly engrossed.
REGAN, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, Feb. 21, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance to whom was referred

S. B. No. 256, Relative to appropriations for judges of Special District Courts in Smith and Upshur and Rusk and Gregg Counties.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 21, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance to whom was referred

H. B. No. 479, Relative to appropriations for district attorneys of 18th, 119th, and 34th Judicial Districts.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HOLBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 21, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 203, A bill to be entitled "An Act to amend Chapter 40, Acts of Second Called Session of Forty-second Legislature and Chapter 271, Acts of Regular Session of 42nd Legislature as amended by said Chapter 40, Acts of Second Called Session of 42nd Legislature, by adding to Section 8-A subsections 6-a and 6-b to be inserted between subsections 6 and 7, and to declare that as to any and each lease and/or contract hereafter made by the Board of Mineral Development it is the policy of the State, with reference to the development of all portions of beds of rivers and channels described in such lease and/or contract that the activities of the

State and of lessees and/or contracting parties, their successors or assigns, under such lease and/or contract, shall conform to the valid laws of this State, and to the valid orders, rules and regulations of any agency of this State, applicable to the development by others than this State of petroleum and/or natural-gas-bearing land within the State, and that each lease and/or contract hereafter made by the Board of Mineral Development shall be subject to such public policy, and also providing that as to any and each lease and/or contract heretofore made by the Board of Mineral Development the Board shall be authorized and empowered to revise the same with the consent of the lessees and/or contracting parties thereunder, their heirs, successors or assigns, in such wise as to subject such lease and/or contract thenceforth to the public policy aforesaid, and providing that such revision shall be accomplished by supplemental or modificatory instrument on such terms as the Board of Mineral Development may deem fair and advantageous to the State, but only after a proposal for such revision shall be formally made in a public document to the said Board of Mineral Development by the lessees and/or contracting parties under such lease and/or contract, their heirs, successors or assigns, and providing that in consideration of the consent of such lessees and/or contracting parties, their heirs, successors or assigns, to such revision the Board of Mineral Development shall not reduce the State's share of the petroleum and/or natural gas to be received in the future under such lease and/or contract to less than one-eighth of the gross production of oil and/or gas from the land described in such lease and/or contract, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendment, and be printed.

HOPKINS, Chairman.

Committee Amendment.

Amend S. B. No. 203, line 9, page 3, by striking out the last words, to-wit: "one-eighth" and insert in

lieu thereof "one-fourth", and amend caption accordingly.

Committee Room,

Austin, Texas, Feb. 21, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 67, A bill to be entitled "An Act to provide cumulative and alternate manner in which certain water control and improvement districts may provide for the assessment and/or collection of districts' taxes, and to establish the compensation to be paid and the manner of paying, therefor by such districts. Also providing that the compensation to be paid to a county tax assessor and/or a county tax collector hereunder, shall be computable as fees of office in determining the maximum compensation to be paid to such officers. Also providing for the payment of compensation hereunder for the use of the county and not to the officers herein named, in case the law hereafter may provide for the payment of salaries, in lieu of fees of office, to such officers. Also providing that such officers when serving a district hereunder shall be deemed to be officers of the district. Further providing that the bond to be given by a tax collector hereunder shall be payable to the district and that the premium therefor shall be paid by such district; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HOPKINS, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Contingent Expenses, to whom was referred

S. S. R. No. 43, Providing that a Committee of three Senators be appointed to arrange for having photographs made of the Governor, Lieutenant Governor and Senators of the Forty-third Legislature, and hung in the Senate Chamber.

Have had the same under consideration, and I am instructed to

report it back to the Senate with the recommendation that it do pass.

WOODRUFF, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was re-committed H. B. No. 168.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendment, and be not printed again.

HOLBROOK, Chairman.

(Committee amendments substitute S. B. No. 97 as printed for H. B. No. 168.)

(Majority Report.)

Committee Room,

Austin, Texas, Feb. 21, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We a majority of your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 179, A bill to be entitled "An Act to amend Chapter 91 of the General Laws of the Fortieth Legislature, amending Article 7596 of the Revised Statutes of the State of Texas, regulating liens for water rates, so hereafter to limit the statutory lien on crops to secure water rates for irrigation to one-third of the crop; and to give to those supplying water for irrigation a preference lien on crops, superior to every other lien; to limit the lien which public utilities may contract for on crops to one-third; to authorize waiver of lien by districts; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

COUSINS, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, Feb. 21, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, a minority of your committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 179, A bill to be entitled "An Act to amend Chapter 91 of the General Laws of the Fortieth

Legislature, amending Article 7596 of the Revised Statutes of the State of Texas, regulating liens for water rates, so hereafter to limit the statutory lien on crops to secure water rates for irrigation to one-third of the crop; and to give to those supplying water for irrigation a preference lien on crops, superior to every other lien; to limit the lien which public utilities may contract for on crops to one-third; to authorize waiver of lien by districts; and declaring an emergency."

Have had the same under consideration and, I am instructed to report it back to the Senate with the recommendation that it do pass.

COUSINS, Chairman,
HOLBROOK.

Committee Room,

Austin, Texas, Feb. 21, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was re-committed S. B. No. 97,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute Bill for Senate Bill No. 97, as previously reported, do pass in lieu thereof with a committee amendment hereto attached, and that the bill or substitute be not printed again.

HOLBROOK, Chairman.

Committee Amendment.

Amend the committee substitute for Senate Bill No. 97 by striking out items 5, 6, 6a and 6b, on page 6 of the printed substitute bill and inserting, in lieu thereof, the following:

For the years ending August 31, 1934, and August 31, 1935.

To assistant district attorneys for the El Paso district, one assistant district attorney for Travis County and one assistant district attorney for each of the following judicial districts, namely: 30th, 22nd, 49th, 72nd, and 47th, all at \$1,800.00 per year each—\$14,400.00; \$14,400.00.

Committee Room,

Austin, Texas, Feb. 22, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 214, A bill to be entitled "An Act amending Article 4891 of the Revised Civil Statutes of 1925, as amended by the Acts of the First Called Session of the Forty-first Legislature, Chapter 37, Page 84, so as to provide for the use of co-insurance without limitation or restriction except such as may be approved by the Board of Insurance Commissioners."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PURL, Chairman.

Committee Room,

Austin, Texas, Feb. 22, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 4, A bill to be entitled "An Act to amend Article 5006 of the Revised Civil Statutes of Texas of 1925 so as to include the bonds or other interest bearing evidence of indebtedness of navigation districts among those in which insurance companies are authorized to invest their funds; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed with committee amendment.

PURL, Chairman.

Committee Amendments.

Amend S. B. No. 4 by causing the caption to conform to the bill after committee amendment has been added.

Amend S. B. No. 4 by adding thereto a new sub-section to be known as (f) as follows:

(f) The terms of this bill shall apply only to counties containing a population of not less than 359,000 and not more than three hundred and sixty-five thousand population according to the last Federal census.

Committee Room,

Austin, Texas, Feb. 22, 1933.

Hon. Edgar E. Witt, President of the President.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 185, A bill to be entitled "An Act amending Paragraph No. (5) of Section 5, (Art. 4875a-5) of Chapter 274 of the General Laws of the Regular Session of the 41st Legislature and which relates to the regulation of local mutual aid associations paying death benefits operating an assessment insurance benefit association and paying benefits, wherein the funds are provided by collection from the members; defining the law and the manner under which such associations may operate, and said Paragraph No. (5) of Section 5, which provides for the number of persons necessary to have given applications for membership in the association; the amount to be collected from each member; the showing to be made to the Board of Insurance Commissioners of Texas; a bond prescribed as a prerequisite to the organization of such associations and the amount and condition of said bond; the bond to be filed and approved before a certificate of authority is issued to said association or corporation for the conduct of the business of a local mutual aid association and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments and be printed.

PURL, Chairman.

Committee Amendments.

Amend S. B. No. 185 by changing the caption to conform to the body of the bill after the committee amendments have been added.

Amend S. B. No. 185 by striking out the words and figures of \$5,000.00 and insert in lieu thereof the words and figures of \$2500.00.

Amend S. B. No. 185, Section 1, paragraph (5) by striking out the following: "shall make and file a fidelity bond with a corporate surety company authorized to write surety bonds in this State" and insert in lieu thereof the following: "shall make and file a surety bond executed by a surety company authorized to do business in the State of Texas, satisfactory to the Commission as surety."

(Majority Report.)

Committee Room,
Austin, Texas, Feb. 22, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 67, A bill to be entitled "An Act adding Section 4878-A to become a part of Statutes of 1925 of the State of Texas providing that the commission in fixing maximum rates to be charged for fire insurance by companies in the State of Texas and determining credits to be allowed any city, town or village, shall not take into consideration losses in cases of property which was insured for more than its real worth, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass.

PURL, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, Feb. 22, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, a minority of your Committee on Insurance, to whom was referred S. B. No. 67.

Have had the same under consideration and beg leave to differ with the majority of the committee and report it back to the Senate with the recommendation that it do pass.

POAGE,
RAWLINGS.

(Majority Report.)

Committee Room,
Austin, Texas, Feb. 23, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, a majority of your Committee on Insurance, to whom was referred

S. B. No. 186, A bill to be entitled "An Act to amend Article 4875a-3, Chapter Nine A, Title 78, Revised Civil Statutes of 1925 providing and permitting local mutual aid associations to operate in the State of Texas and write business in territory embraced within one county, or to a territory embraced within a

radius of one hundred (100) miles of the city or town of the association, including counties traversed by said radius or to all the counties adjoining that in which the home office is situated or where the home office of an association is located within less than one hundred (100) miles of border line of the State to a limited number of connecting counties whose total area does not exceed that allowed under the law to any other local mutual aid association of Texas, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

PURL, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, Feb. 22, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, a minority of your Committee on Insurance, to whom was referred

S. B. No. 186, A bill to be entitled "An Act to amend Article 4875a-3, Chapter Nine A, Title 78, Revised Civil Statutes of 1925 providing and permitting local mutual aid associations to operate in the State of Texas and write business in territory embraced within one county, or to a territory embraced within a radius of one hundred (100) miles of the city or town of the association, including counties traversed by said radius or to all the counties adjoining that in which the home office is situated or where the home office of an association is located within less than one hundred (100) miles of border line of the State to a limited number of connecting counties whose total area does not exceed that allowed under the law to any other local mutual aid association of Texas, and declaring an emergency."

Have had the same under consideration and beg to differ with the majority of the committee, and report the bill back with recommendations that it do pass and be printed.

MOORE.
COUSINS.

TWENTY-NINTH DAY.

Senate Chamber,
Austin, Texas,
February 23, 1933.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.
Oneal.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Parr:

S. B. No. 266, A bill to be entitled "An Act authorizing any common school district, independent school district, consolidated common school district, consolidated independent school district, county line school district, consolidated county line school district or rural school district to hold an election for the purpose of the cancellation and revocation of any unsold school bonds and providing that such election shall be ordered and held in the same form and manner provided for in voting such school bonds, etc., and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Fellbaum:

S. B. No. 267, A bill to be entitled "An Act amending Articles 7245, 7246, 7247, 7248, and 7249 of the